

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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FILED

In Re:
DOW CORNING CORPORATION
Debtor

§ Civil Action No. 99-CV-75799
§ (Appeal from Bankruptcy
§ Chapter 11 Case No. 95-20512)
§ 00-70029
§ Honorable Denise Page Hood
§ (Other related appeals docketed as:
§ 99-CV-75922, 99-CV-75923, 99-CV-75924,
§ 99-CV-75925, 99-CV-75927, 99-CV-75929,
§ 99-CV-75930, 99-CV-75958, 99-CV-75959,
§ 99-CV-75960, 99-CV-76007, 99-CV-76008,
§ 99-CV-76009, 99-CV-76063, 99-CV-76214,
§ 99-CV-76215, 00-CV-70029, 00-CV-70076,
§ 00-CV-70176, 00-CV-70177, 00-CV-0178)

**MOTION BY PROPONENTS TO
ESTABLISH PROCEDURE FOR ORAL ARGUMENT**

TO: The Honorable Denise Page Hood, United States District Judge:

Dow Corning Corporation ("DCC") and the Official Committee of Tort Claimants (the "Tort Committee") (together, the "Proponents") file this Motion to Establish Procedure for Oral Argument and state as follows:

1. A total of 22 appeals arising from the Bankruptcy Court's November 30, 1999 Confirmation Order or its December 21, 1999 Opinion, which relates to the Confirmation Order, are presently pending before the Court. The oral arguments in these appeals are set before this Court for April 12 and 13, 2000.¹ The Court has indicated that it will hear oral argument at the same time with

¹On the same days, the Court also has set argument in seven pre-confirmation appeals (regarding a variety of miscellaneous issues) that were pending as of the time of the entry of the Confirmation Order. However, the Court has dismissed two of those appeals (nos. 99-CV-73657 and 99-CV-73659). Appellants in two additional appeals (nos. 99-CV-73658 and 99-CV-74218) failed to file briefs by the February 18, 2000 deadline set by the Court. The Shainwald Foreign Claimants submitted a single brief in their appeal of the Confirmation Order (no. 99-CV-75929) that also briefs the issues raised in case no. 99-CV-73941. The Proponents believe that another of these pre-confirmation appeals (no. 99-CV-745744) will be moot by April 12. Finally, the United States' argument in case no. 99-CV-75380 may be combined with its argument in its appeal of the Confirmation Order (no. 99-CV-75799). Accordingly, none of these pre-confirmation appeals should require oral argument separate from argument in the appeals of the Confirmation Order and the December 21 Opinion.

43

respect to the Proponents' motions to, among other things, vacate a portion of the December 21 Opinion.

2. Based on the number of briefs that have been submitted by the parties and the variety of issues raised, the Proponents respectfully recommend to the Court that it enter an order establishing a procedure for the oral argument within which the parties can work. The procedure is designed to avoid confusion, provide for an orderly presentation of the key issues, and promote pre-argument coordination among the parties who are similarly situated. A proposed procedure for the oral argument is set forth in the accompanying order.

WHEREFORE, the Proponents ask the Court to enter the attached Order Setting Procedure for Oral Argument.

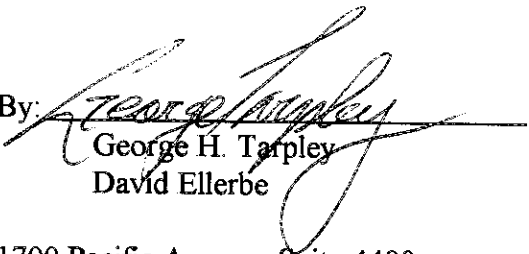
Dated: March 17, 2000.

Respectfully submitted,


SHEINFELD, MALEY & KAY, P.C.

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§ 99-CV-76215, 00-CV-70029, 00-CV-70076,
§ 00-CV-70176, 00-CV-70177, 00-CV-0178)

**BRIEF IN SUPPORT OF MOTION BY PROPONENTS TO
ESTABLISH PROCEDURE FOR ORAL ARGUMENT**

Dow Corning Corporation ("DCC") and the Official Committee of Tort Claimants (the "Tort Committee") (together, the "Proponents") files this Brief in Support of Motion by Proponents to Establish Procedure for Oral Argument as the Court also has set argument in seven pre-confirmation appeals (regarding a variety of miscellaneous issues) that were pending as of the time of the entry of the Confirmation Order. However, the Court has dismissed two of those appeals (nos. 99-CV-73657 and 99-CV-73659). Appellants in two additional appeals (nos. 99-CV-73658 and 99-CV-74218) failed to file briefs by the February 18, 2000 deadline set by the Court. The Shainwald Foreign Claimants submitted a single brief in their appeal of the Confirmation Order (no. 99-CV-75929) that also briefs the issues raised in case no. 99-CV-73941. The Proponents believe that another of these pre-confirmation appeals (no. 99-CV-745744) will be moot by April 12. Finally, the United States' argument in case no. 99-CV-75380 may be combined with its argument in its appeal of the Confirmation Order (no. 99-CV-75799).

Accordingly, none of these pre-confirmation appeals should require oral argument separate from argument in the appeals of the Confirmation Order and the December 21 Opinion.

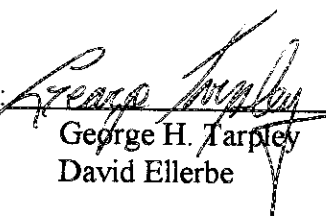
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Dated: March 17, 2000.

Respectfully submitted,

SHEINFELD, MALEY & KAY, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2000, a true and correct copy of the Motion by Proponents to Establish Procedure for Oral Argument was served via United States First Class Mail, postage prepaid, upon the parties listed on the attached Schedule I.

Respectfully submitted,

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